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County of Napa, Terry Davis  
and Lawrence Braun

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES THOMAS HART,  
  
Plaintiff,  
  
vs.  
  
LAWRENCE L. BRAUN, COUNTY OF  
NAPA, TERRY DAVIS, Public Defender for  
the County of Napa,  
  
Defendants.

On October 12, 2005, the parties stipulated and this Court ordered an extension of time in response to an “order for briefing after remand and proposed order.” The revised briefing schedule is as follows:

- Defendants' motion by November 15, 2005;
- Plaintiff's opposition by November 29, 2005; and
- Defendants' reply by December 6, 2005.

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Defendant requested these dates with every intention to comply. However, unexpected and unanticipated events have since occurred, disabling the defendants from preparing a satisfactory summary judgment motion.

In *Pacifica v. ABAG* (Alameda County, Case No. RG05199072), Mr. Lepper is preparing an opposition to two summary judgment motions while simultaneously preparing two counter summary judgment motions, all due by November 16, 2005. In *Zacks Inc. v. City of Sausalito* (Marin County, Case No. CV 050995), Mr. Lepper is preparing an opposition to plaintiff's summary judgment motion due by November 15, 2005. In addition, the associate attorney who worked with Mr. Lepper on these cases abruptly resigned; as a result, Mr. Lepper has to prepare all of them himself.

Consequently, defendants respectfully request and plaintiff stipulates to a revised briefing schedule, as follows:

- Defendants' motion by November 29, 2005;
- Plaintiff's opposition by December 13, 2005; and
- Defendants' reply by December 20, 2005.

DATED: November 14, 2005

LEPPER & HARRINGTON

/s/

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GARY M. LEPPER  
Attorney for Defendants

DATED: November 14, 2005

LAW OFFICES OF FRANK G. PRANTIL

/s/

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FRANK G. PRANTIL  
Attorney for Plaintiff

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IT IS SO ORDERED:

DATED: November 16, 2005

JUDGE CLAUDIA WILKEN  
UNITED STATES DISTRICT COURT

